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11/29/89

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5000

AN ORDINANCE reclassifying 1.26 acres of property located at 13080 S.E. 41st Street in the City of Bellevue, from R-3.5 to R-10, with conditions, upon application of Burgess Interstate, Inc.

WHEREAS, Burgess Interstate, Inc. filed an application for reclassification of property located at 13080 S.E. 41st Street; and

WHEREAS, on October 19, 1989, a public hearing was held on the application before the Hearing Examiner upon proper notice to all interested persons; and

WHEREAS, on November 7, 1989, the Hearing Examiner recommended to the City Council approval of said application, and made and entered findings of fact and conclusions based thereon in support of his recommendation; and

WHEREAS, the City Council concurs in the findings of fact and conclusions of the Hearing Examiner and has determined that the public use and interest will be served by reclassifying said property; and

WHEREAS, the City has complied with the requirements of the State Environmental Policy Act and the City Environmental Procedures Code; now, therefore

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The City Council adopts the findings of fact and conclusions based thereon made and entered by the Hearing Examiner in support of his recommendation to the City Council of November 7, 1989, approving the reclassification with regard to the hereinafter described property, as set forth in "Findings, Conclusions and Recommendation of the Hearing Examiner Pro Tempore for the City of Bellevue, In the Matter of the Application of James Anderson for Burgess Interstate, Inc. For Approval of Reclassification of 1.26 acres from R-3.5 to R-10, File No. HE/REZ 89-1842-1."

Section 2. The following described property is hereby reclassified from R-3.5 to R-10, subject to the conditions set forth in the Concomitant Agreement required herein:

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The North 165.00 feet of the East 333.00 feet of the Northeast quarter of Section 16, Township 24 North, Range 5 East, W.M., in King County, Washington.

This reclassification from R-3.5 to R-10 is conditioned on full compliance by the owner(s) of said property and its heirs, assigns, grantees, or successors in interest, with the terms and conditions of that certain Concomitant Agreement executed by Newport Heights, Ltd., which has been given Clerk's Receiving No. 14971 and which is adopted by reference into this Ordinance as if it were fully set forth herein.

PASSED by the City Council this 11th day of December, 1989, and signed in authentication of its passage this 11th day of December, 1989.

(SEAL)

Nan Campbell
Nan Campbell, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Richard L. Kirkby
Richard L. Kirkby, Assistant City Attorney

Attest:

Marie K. O'Connell
Marie K. O'Connell, City Clerk

Published December 15, 1989